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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
Federal Communications Commission

Washington, D.C. 20554

In re Applications of)	MM DOCKET NO. 93-107
DAVID A. RINGER)	File No. BPH-911230MA
ASF BROADCASTING CORPORATION)	File No. BPH-911230MB
WILBURN INDUSTRIES, INC.)	File No. BPH-911230MC
SHELLEE F. DAVIS)	File No. BPH-911231MA
OHIO RADIO ASSOCIATES, INC.)	File No. BPH-911231MC
For a Construction Permit for)	
a New FM Station on Channel)	
280A at Westerville, Ohio)	

To: Honorable Walter C. Miller
Administrative Law Judge

OPPOSITION TO MOTION TO ENLARGE ISSUES

David A. Ringer, by and through counsel and pursuant to §§1.229 & 1.294 of the Commission's Rules (47 C.F.R. §§1.229 & 1.294), hereby submits his Opposition to the "Motion To Enlarge Issues" ("Motion") filed by Shellee Davis ("Davis") on August 18, 1993.¹ In support whereof, the following is shown:

Background

1. Davis argues that Ringer did not properly budget certain costs associated with his Westerville application and requests that additional financial issues be added against him. As he explains in his attached Declaration,

¹ Ohio Radio Associates, Inc. ("ORA") filed a similar Motion To Enlarge against Ringer. Pursuant to the Judge's Pre-Hearing Order, 93M-186, at ¶10, released April 26, 1993, Ringer is simultaneously filing a separate Opposition to ORA's Motion.

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Mr. Ringer is one of many applicants relying on a \$6,000 per month lease of the equipment and tower site owned by Mid-Ohio Communications, Inc. ("Mid-Ohio"), the former licensee of WBBY-FM, Westerville, Ohio. See "Declaration" of David A. Ringer at Exhibit A.² Prior to certifying his financial qualifications, Mr. Ringer received a reasonable assurance letter and two inventory lists from Mid-Ohio's representative, Carl Fry, and based upon these lists, as well as a sample budget supplied by his communications counsel, Mr. Ringer prepared his budget or "Business Plan" for the station. Id. As Mr. Ringer explains: "I reviewed the inventories sent by Mr. Fry and I incorporated his quote of \$6,000 in my Business Plan." Id. Mr. Ringer states further that he budgeted an additional \$50,000 for miscellaneous construction costs and an additional \$3,600 for miscellaneous operating expenses for the first three month period. Id. He arrived at a total of \$201,880.00 for construction and operation of the station for three months without revenue and this figure was used in his final application. Id. Finally, Mr. Ringer states that "at the time I devised my Business Plan, I believed it to be accurate and complete. I made a good faith effort attempt to cover all necessary costs." Id.

² The original copy of this Declaration was submitted as Exhibit A to the Opposition filed against ORA's Motion.

Ringer Made A Good Faith Effort To Budget For Costs

2. Davis argues that Ringer failed to properly budget for certain cost items in his "Business Plan" for the new Westerville station. Davis contends that Ringer did not budget the cost of a directional antenna and that he failed to budget for auxiliary power equipment. See Motion at pp. 2-3.

3. With respect to auxiliary power equipment, Mr. Ringer explains that: "It was my understanding that the WBBY-FM inventory lists included auxiliary power equipment. Therefore, I did not separately budget for this item." Id. Similarly, Mr. Ringer believed that "the equipment outlined in the Mid-Ohio inventory list would suffice for my directionalized operation." Id. It was not until his deposition in this proceeding and after receiving a copy of the Motions To Enlarge filed against him in this proceeding, that Mr. Ringer realized that these lists did not include the necessary equipment for auxiliary power and a directionalized operation. Id.

4. While Mr. Ringer mistakenly believed that the equipment to be supplied by Mid-Ohio would be sufficient for his Westerville proposal, he did make a good faith effort to include the costs for an antenna and for auxiliary power equipment in his budget. Furthermore, as Mr. Ringer has noted, he included a \$50,000 cushion in his final budget to cover miscellaneous equipment costs. Should he need to

purchase his own equipment, these funds should cover the cost of a directional antenna and auxiliary power equipment. The Commission has previously found that an applicant may rely on additional "cushion" funds to cover deficiencies in their equipment budgets. In Sampson Broadcasting Co., Inc., 52 FCC 2d 954 (1975), the Commission permitted an applicant, which had not budgeted for certain equipment and monthly operating costs, to rely on additional funds, finding "[A]mple cushion available to cover such deficiencies" and that the applicant's costs were not "unreasonable on their face." Id. Here, the \$50,000 that Mr. Ringer budgeted will easily cover these two items.

5. In anticipation of Ringer's response, Davis argues that the \$50,000 cushion will not be enough to pay for this additional equipment. Motion at p. 3. Citing two quotes from equipment suppliers, Davis estimates that it will cost Ringer "at least \$30,000" for auxiliary power equipment and \$21,450 for a Jampro JSCP-3 directional antenna. Id. While Ringer does not dispute the cost for the Jampro antenna, Davis' auxiliary power estimate is from Harris Corporation ("Harris"), one of the country's largest (and most expensive) equipment suppliers. Mr. Ringer has obtained a quote for similar equipment from "Buckeye Power Sales Co., Inc.", a local equipment provider from Twinsburg, Ohio. See Exhibit B. Buckeye's quote, not surprisingly, is for \$12,274. Id. Even assuming that it would cost Ringer

\$3,000 for installation (as quoted by Harris), the total for this equipment, \$15,274, would be much less than the "cadillac" proposal put forth by Harris. Therefore, since it is possible to purchase all the necessary equipment for a directional antenna (\$21,450) and auxiliary power (\$15,274) for approximately \$33,724, Ringer will be able to rely on the \$50,000 he budgeted for miscellaneous equipment and still have a cushion of \$16,276.

6. Finally, Davis takes yet another swipe at the sufficiency of the lease letter provided by Mid-Ohio. Motion at p. 4. Davis argues that "...the terms of the lease letter plainly state only that 'some or perhaps all' of the equipment on the inventory list will be made available." Id. However, as Ringer has previously demonstrated, the Mid-Ohio letter simply provided reasonable assurance that the equipment and tower site of the former WBBY-FM would be made available for Ringer's use. That is all that the Commission demands of lease commitments.

7. As these facts show, Mr. Ringer did all that the Commission expects of an applicant for a new FM facility - he made a "serious and reasonable effort prior to filing...(his) application to ascertain the predictable costs of construction and operation." Armando Garcia, 64 RR 2d 1005, 1009 ¶15 (Rev. Bd. 1988). Moreover, as he has previously demonstrated in this proceeding and as he states, once again, in his attached Declaration, Mr. Ringer has

ample financial resources to cover all of the costs associated with construction and operation." Exhibit A at p. 2. Because he is relying on his own funds and has available resources in excess of those budgeted for this project, Mr. Ringer is willing and able to cover any previously unaccounted for items in his budget. Id. Therefore, there is no question that Mr. Ringer has been and continues to be financially qualified to build and operate the new Westerville FM station and enlargement of the issues in this case is not necessary.

Conclusion

8. Davis has failed to raise a substantial and material question of fact that would warrant enlargement of the issues in this case. See 47 C.F.R. §1.229. Similarly, Davis fails to cite a single Commission precedent to support her arguments. On the other hand, Mr. Ringer has fully demonstrated that he made a good faith attempt to budget the costs of construction and operation of his station and that he is financially qualified to follow through on his proposal.

WHEREFORE, the above-premises considered, David A. Ringer hereby respectfully requests that the Motions To Enlarge Issues filed by ORA and Davis be **DENIED**.

Respectfully submitted,
DAVID A. RINGER

By:



Arthur V. Belendiuk
Shaun A. Maher

His Attorneys

SMITHWICK & BELENDIUK, P.C.
1990 M Street, N.W.
Suite 510
Washington, DC 20036
(202) 785-2800

September 7, 1993

EXHIBIT A

DECLARATION

David A. Ringer, under penalty of perjury, declares as follows:

1. I am an individual applicant for a new FM station at Westerville, Ohio. I have reviewed the Motions To Enlarge Issues that were filed against me by Ohio Radio Associates, Inc. and Shellee Davis.

2. Prior to signing my application and certifying my financial qualifications, I spent a significant amount of time putting together a "Business Plan" to estimate the cost to construct and operate my proposed facilities for three months without revenue. See Attachment A. To assist with this project, I was provided with a sample budget from my communications counsel. See attachment B. In addition, I relied upon my own past experience as a broadcaster.

3. While I was preparing my Business Plan, I received a commitment from Mid-Ohio Communications, Inc., the former licensee of WBBY-FM, Westerville, concerning the use of the station's equipment and tower site. See Attachment C. Carl Fry, Mid-Ohio's Authorized Representative, sent me two letters, one of which quoted a price of \$6,000 per month to lease the former station's equipment and tower site. Include with each of Mr. Fry's letters were inventories of the station's equipment that he stated would be made available to me should I decide to go forward with the monthly lease plan. See Attachment C.

4. I reviewed the inventories sent by Mr. Fry and I incorporated his quote of \$6,000 in my Business Plan. I completed all of the necessary items in the Business Plan and, in addition, I budgeted an additional \$50,000 for miscellaneous construction costs and an additional \$1,200 each month (for a total of \$3,600) for miscellaneous operating expenses. Based on these figures, I arrived at a total of \$201,880.00. With my Business Plan complete, I included this figure in my final Westerville application.

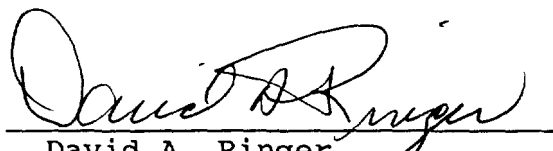
5. At the time I devised my Business Plan, I believed it to be accurate and complete. I made a good faith attempt to cover all necessary costs. It was my understanding that the WBBY-FM inventory lists included auxiliary power generating equipment. Therefore, I did not separately budget for this item. After reviewing this matter with my engineer, I have recently discovered that this was not the case. However, at the time I devised my budget, I made a good faith attempt to budget for this figure. Should I need to obtain this equipment myself, I am sure that this cost can be covered by the additional \$50,000 that I budgeted for miscellaneous items.

6. Similarly, when I was preparing my Business Plan, I believed that the equipment outlined in the Mid-Ohio inventory list would suffice for my directionalized operation. I asked my consulting engineer to review the inventory lists provided by Mid-Ohio and he made no mention of the need for additional equipment. Should I need to purchase my own antenna, I am sure that this cost also can be covered by the additional \$50,000 that I budgeted for miscellaneous equipment.

7. As for programming costs, I did not budget any figure for this category because I intended to rely on free programming from a satellite program provider, most likely the Unistar network. I understood, based on my experience in the field of broadcasting, that satellite programmers are willing to provide programming on a non-cash or "barter" type of arrangement. Under this type of approach, I would receive free programming each month in exchange for giving up a minute or two of advertising time each hour to the programmer. As I stated in my deposition, I have contacted Unistar regarding this matter. I recently received confirmation from Unistar that they would be willing to do enter into a barter type arrangement in my case. See Attachment D.

8. With respect to payroll taxes, I did, in fact, include an item on my budget for this item. However, due to a typographical error, the payroll tax item was inadvertently listed on my Business Plan as "Royalties and Licenses" or music licensing fees. Therefore, the \$1,200 figure listed for music licensing fees should have been listed for payroll taxes. I inadvertently omitted a figure for music licensing fees. However, these fees, which I estimate would amount to approximately \$300 per month, could be covered by the additional \$1,200 I budgeted for miscellaneous items.

9. I believe that I am more than financially qualified to be the licensee of the new Westerville station. Based upon a review of my most current financial statement, a copy of which is attached, I am confident that I have the financial wherewithal to follow through with my proposal. See Attachment E. Because I am relying on my own personal funds for this project, I will easily be able to cover all costs associated with construction and operation. Furthermore, I have additional available funds that I am willing to use to cover any previously unaccounted for items.


David A. Ringer
Individual

August 31, 1993

ATTACHMENT A

BUSINESS PLAN

DAVID A. RINGER
New FM
Westerville, Ohio

CONSTRUCTION COSTS

Harris/Allied Turnkey System	
Furniture & Fixtures	6,000.00
Legal Fees	50,000.00
Engineering Fees	5,000.00
FCC Filing Fees	8,790.00
Miscellaneous Expenses	50,000.00

TOTAL CONSTRUCTION COSTS	\$119,790.00
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OPERATING EXPENSES

	1st month	2nd month	3rd month
Tower Site Rent	6,000.00	6,000.00	6,000.00
Studio Rent			
Satellite Service			
Electric	525.00	525.00	525.00
Telephone	1,300.00	1,300.00	1,300.00
Advertising	800.00	800.00	800.00
Salaries:			
General Manager	3,000.00	3,000.00	3,000.00
Sales Manager	1,400.00	1,400.00	1,400.00
Production Director	1,200.00	1,200.00	1,200.00
Overnight Operator	1,120.00	1,120.00	1,120.00
Weekend Staff	1,050.00	1,050.00	1,050.00
Salesman #1	1,800.00	1,800.00	1,800.00
Salesman #2	1,600.00	1,600.00	1,600.00
Bookkeeper/Office Mgr.	1,250.00	1,250.00	1,250.00
Engineer	600.00	450.00	300.00
Secretary	1,280.00	1,280.00	1,280.00
Payroll Taxes			
(FICA, Unemployment, etc.)			
Royalties & Licenses			
(ASCAP, BMI & SESCAC)	1,200.00	1,200.00	1,200.00
Debt Service			
Maintenance & Supplies	1,000.00	1,200.00	1,200.00
Insurance	555.00	555.00	555.00
Account & Legal Fees	500.00	500.00	500.00
Miscellaneous Expenses	1,200.00	1,200.00	1,200.00
TOTAL OPERATING EXPENSES	27,380.00	27,430.00	27,280.00

CONSTRUCTION AND OPERATION
TOTAL COSTS

201,880.00

ATTACHMENT B

BUSINESS PLAN

New FM

CONSTRUCTION COSTS

Harris/Allied Turnkey System
Furniture & Fixtures
Legal Fees
Engineering Fees
FCC filing Fees
Miscellaneous Expenses

TOTAL CONSTRUCTION COSTS

OPERATING EXPENSES

1st month 2nd month 3rd month

Tower Site Rent
Studio Rent
Satellite Service
Electric
Telephone
Advertising
Salaries:
 General Manager
 Sales Manager
 Production Director
 Overnight Operator
 Weekend Staff
 Salesman #1
 Salesman #2
 Bookkeeper/Office Manager
 Engineer
 Secretary
Payroll Taxes
 (FICA, Unemployment, etc.)
Royalties & Licences
 (ASCAP, BMI, & SESCAC)
Debt Service
Maintenance & Supplies
Insurance
Accounting & Legal Fees
Miscellaneous Expenses

TOTAL OPERATING EXPENSES

CONSTRUCTION AND OPERATION
TOTAL COST

ATTACHMENT C

MID-OHIO COMMUNICATIONS, INC.

Post Office Box 14
Westerville, Ohio 43081

December 17, 1991

Mr. David Ringer
1000 Urlin Ave., Unit #1017
Columbus, OH 43212

RE: Mid-Ohio Communications, Inc./WBBY-FM/Lease of Assets

Dear Mr. Ringer:

This correspondence is in regard to your recent inquiry pertaining to the lease of certain real property and personal property owned by Mid-Ohio Communications, Inc. or affiliated companies which is utilized in regard to the broadcast operation of WBBY-FM. You have indicated that you are planning to apply for the broadcast license of WBBY-FM, Westerville, Ohio, and this correspondence is to confirm that should the Federal Communications Commission award you the construction permit, Mid-Ohio Communications, Inc., the former licensee of WBBY-FM, is willing to negotiate appropriate leases with you for certain real property and personal property owned by Mid-Ohio Communications, Inc. or affiliated companies in the amount of Six Thousand Dollars (\$6,000.00) per month.

The real estate lease and equipment lease which would commence upon the FCC granting your construction permit would include the use of the tower site (tower and building) located at State Route 37, Sunbury, Ohio 43074; studio facilities located at 14 Dorchester Court, Westerville, Ohio 43081; and equipment utilized in the operation of the station. The equipment would include some or perhaps all of the equipment itemized in the inventory accompanying this correspondence. Failure to lease all of the equipment listed in the inventory will not result in a reduced lease package price. This correspondence conveys an intent to negotiate terms of lease agreements and does not in and of itself constitute lease agreements. Although it is contemplated that mutually acceptable terms will be negotiated in regard to the various leases, there is no guarantee of that occurrence.

Within sixty (60) days of the date of this letter, you must provide Mid-Ohio Communications, Inc. with a showing of financial qualifications satisfactory to Mid-Ohio Communications, Inc. for it to enter into the above-referenced leases. Mid-Ohio Communications, Inc. reserves the right to cancel this letter within sixty (60) days of receipt of your financial information. Notwithstanding the above, at the time you receive the construction permit, Mid-Ohio Communications, Inc. reserves the right to again review your financial condition to determine if you then have financial qualifications satisfactory to Mid-Ohio Communications, Inc. to enter into the above-referenced leases. In regard to a showing of financial strength, if the lessee is a corporation, the principals of lessee will have to personally sign unconditional guarantees in regard to the lease obligations.

Mid-Ohio Communications, Inc. hereby grants you the authority to specify WBBY-FM's transmitter location in your FCC application. We wish you the best of luck in your application for licensure being prepared for filing with the Federal Communications Commission.

Sincerely,

MID-OHIO COMMUNICATIONS, INC.

By:


Carl B. Fry, Authorized Representative

Attachment

MBBY INVENTORY 12/91FRONT OFFICEFIRST FLOORItem

- 1 Double pedestal metal desk
- 1 Brown Steno chair
- 1 Black side chair
- 2 2 Drawer metal filing cabinet
- 1 Panasonic T35 Typewriter
- 1 AT &T PC6300 computer and terminal w/printer
- 1 Sanyo CY5000 DP Calculator
- 1 Bostich EP5 Electric pencil sharpener

LOBBY

- 2 Waiting room side chairs (wood & rust)
- 1 table w/ glass top

SALES OFFICE

- 6 desks (4 double pedestal & 2 single pedestal)
- 7 Steno chairs
- 1 wooden desk (computer table)
- 3 4 Drawer file cabinets
- 3 Wall dividers
- 1 Eureka Mighty Mite cleaner
- 1 Panasonic jetflo sweeper
- 1 Kodak Slide projector in case
- 1 36 slot sales cabinet
- 1 IBM selectric typewriter
- 1 Epson equity II+ Computer & terminal
- 1 Panasonic KX-P1124 24pin Multi-mode Printer
- 1 Hewlett Packard Desk Jet Printer

SALES MANAGERS OFFICE

- 1 Double pedestal desk
- 1 Gray executive chair
- 1 gold side chair
- 2 2 drawer file cabinets
- 1 Glass end table
- 1 Brass table lamp

GENERAL MANAGER OFFICE

- 1 Wooden double Pedestal desk
- 1 Blue executive chair
- 2 Blue side chairs
- 1 2 drawer file cabinet
- 1 Wooden top (credenza type)
- 1 Brass lamp
- 1 Telex Copyette

CONFERENCE ROOM

- 1 Conference table
- 6 side arm chairs
- 1 Credenza
- 1 Sharp SF750 Copier
- 1 Zenith 19" color TV
- 1 Zenith Video tape recorder
- 1 panasonic Microwave oven
- 1 GE small refrigerator
- 1 Presentation board w/ easel
- 1 WBBY old clock

PUBLIC SERVICE OFFICESECOND FLOOR

- 1 Double Pedestal desk
- 2 Steno Chairs
- 1 Diablo printer
- 1 File cabinet
- 1 Panasonic typewriter
- 1 Olivetti 35 typewriter
- 1 Sanyo small refrigerator
- 1 Samsung Classic Microwave oven

MUSIC LIBRARY

- 1 Wood table
- 2 Steno chairs
- 1 Single pedestal desk
- 1 Magnavox CD player
- 1 Toshiba receiver
- 1 AT&T Computer & terminal
- 1 Epson LX810 Printer

PROGRAM DIRECTORS OFFICE

- 1 Double pedestal desk
- 1 Steno chair
- 1 4 drawer file cabinet
- 2 Side chairs
- 1 Utility table
- 1 Stereo table
- 1 Technics Quartz Turntable/synthesizer
- 1 Onkyo Integra Integrated Amp
- 1 Sony C D Player
- 2 SBL Speakers

STUDIOS

- 1 Metal Table
- 1 Steno chair
- 4 Side chairs
- 1 Apple Computer w/ C Itoh Printer
- 1 Panasonic electronic modular switching system
- 1 Code-A-Phone (PVM 7530)

MISCELLANEOUS

- 1 Cobra Scanner #SR900
- 1 Randix Stereo AM/FM Cassette
- 1 Realistic AM/FM Receiver
- 1 Set of Greenwood Sales Teaching books/tapes
- 1 Panasonic portable AM/FM Cassette
- 1 Paper Cutter
- 2 Large waste baskets
- 13 Waste basket
- 15 Large plastic desk floor mats

WBBY ELECTRONIC INVENTORY 12/91

NAME	TYPE	ITEM	NUMBER
<u>CONTROL ROOM STUDIO</u>			
TECHNICS	SP10MK2A	TURNTABLES	3
TECHNICS	SH10EA	POWER UNIT	3
RAMKO	SP8E	TURNTABLE AMP	1
STANTON	310	POWER BOOST/FILTER	2
TECHNICS	1500	2 TRACK REEL/RECORDER	1
BROADCAST AUDIO	SERIES IV	AUDIO CONSOLE	1
COMREX	LXR	RECORDER UNIT	1
FURMAN		STRIP EQUALIZER	1
CARVER	TD1200	CASSETTE TAPE DECK	1
DYNAMAX	CTR10	RECORD PLAY CART DECK	1
DYNAMAX	CTR10	PLAYBACK CART DECK	4
FIDELIPAC	TABLE	TAPE ERASER	1
ELECTRO-VOICE	RE-20	MICROPHONE	2
REALISTIC NOVA	40	HEADSETS	1
BIC VENTURI	FORMULA2	MONITOR SPEAKER	2
RADIO SYSTEMS	TM-1	TABLETOP TIMER	1
STUDER	A727	COMPACT DISC PLAYER	3
REALISTIC MINIMUS	3.5	CUE SPEAKER	2
<u>NEWS STUDIO</u>			
DYNAMAX	CTR10	PLAYBACK CART DECK	1
TECHNICS	SP15	TURNTABLE	1
RAMKO	SP8E	TURNTABLE PRE-AMP	1
ELECTRO-VOICE	REZO	MICROPHONE	1
REALISTIC NOVA	40	HEADSET	1
REALISTIC MINIMUS	3.5	MONITOR SPEAKER	2
FIDELPAC	TABLETOP	ERASER	1
<u>PRODUCTION STUDIO</u>			
RADIO SYSTEMS	TM-1	TIMER	1
REALISTIC MINIMUS	0.3	CUE SPEAKER	2
EPI	AZO	MONITOR SPEAKERS	2
TECHNICS	SP15	TURNTABLE	2
RAMKO	SP8E	TURNTABLE PRE-AMP	2
ELECTRO-VOICE	REZO	MICROPHONE	1
TEAC	C3RX	CASSETTE RECORDER	1
STUDER	A725	COMPACT DISC PLAYER	2
DYNAMAX	CTR10	RECORD/PLAY CART DECK	1
DYNAMAX	CTR10	PLAYBACK CART DECK	2

PRODUCTION STUDIO CONT'D

BROADCAST AUDIO

LEXICON	PCM60
TECHNICS	SH8065
OTARI	MX5050
AMPEX	ATR700
FIDELPAC	TABLETOP

12 CHANNEL AUDIO CON.	1
DIGITAL REVER UNIT	1
ST.GRAPHIC EQUALIZER	1
4 CH. REEL RECORDER	1
2 CH. REEL RECORDER	1
ERASER	1

ENGINEERING

MARTI	RR SERIES
GEMINI	MR-2
MARTI	STL
FAIRCHILD	DART 384
APHEX	
REALISTIC	35 WATT
MARTI	PRT SERIES
TECHNICS	SLQ2
SONY	CDP-302
ONKYO/INTEGRA	A8057
JBL	J320A

RECEIVER	1
ANTENNA POSITIONER	1
TRANSMITTER UNIT	2
RECEIVER	1
COMPELLOR	1
PA AMPLIFIER	1
REMOTE P.U. TRANS.	1
TURNTABLE	1
C D PLAYER	1
STEREO AMP	1
STEREO SPEAKER	2

MID-OHIO COMMUNICATIONS, INC.
Post Office Box 14
Westerville, Ohio 43081

December 24, 1991

Mr. David Ringer
1000 Urlin Avenue, Unit #1017
Columbus, OH 43212

RE: Mid-Ohio Communications, Inc.
WBBY-FM
Lease of Assets

Dear Mr. Ringer:

Enclosed herewith is an addendum to the Inventory previously provided to you.

Sincerely,

MID-OHIO COMMUNICATIONS, INC.

By: Carl B. Fry
Carl B. Fry
Authorized Representative

Attachment

cc: Art Belendiuk, Esq.

DEC 24 '91 11:14 FRY

WBYY SUNBURY EQUIPMENT LIST

LOCATION: C=CONTROL
T=TRANSMITTER

C	TECHNICS SP 10 MKII TURNTABLE	(2)
C	TECHNICS SH 10E POWER UNIT	(2)
C	REALISTIC TURNTABLE PREAMP	(2)
C	STUDER A725 CD PLAYER	(1)
C	AUDICORD E SERIES RECORD CART	(1)
C	AUDICORD E SERIES PLAY CART	(2)
C	MCMARTIN AUDIO CONSOLE	(1)
C	ELECTROVOICE RE-16 MIC	(1)
C	PANASONIC SPEAKERS	(2)
C	PIONEER REEL TO REEL PLAYER	(1)
C	SUNBURY/WESTERVILLE AUDIO CNTRL	(1)
C	KENWOOD CASSETTE DECK	(1)

T	PIONEER RECEIVER	(1)
T	DELTA COAXIAL SWITCH	(1)
T	COAXIAL SWITCH LOCAL CONTROL PANEL	(1)
T	MARTI RMC 15 REMOTE CONTROL	(1)
T	MARTI RY 15 RELAY INTERFACE	(1)
T	MARTI SOG 8H SCA GENERATOR	(1)
T	ORBAN OPTIMOD 8100 a	(1)
T	MARTI RPU RECEIVER	(1)
T	INVONICS FMX GENERATOR	(1)
T	MARTI STL 10 RECEIVER	(2)
T	BIRD THRU LINE WATTMETER	(1)
T	BIRD 5KW DUMMY LOAD	(1)
T	HARRIS 2.5 K TRANSMITTER W/MS 15	(1)
T	HARRIS 3.5 K TRANSMITTER W/MX15	(1)
T	TOWER + 2BAY ANTENNA	(1)

ATTACHMENT D



UNISTAR RADIO NETWORKS
25060 WEST AVENUE STANFORD
SUITE 100
VALENCIA, CA 91355-3411
(805) 294-9000
(805) 294-1111 FAX

August 26, 1993

Mr. Arthur Belendiuk
Smithwick & Belendiuk
1990 M. St. N.W.
Suite 510
Washington, DC 20036

Dear Mr. Belendiuk,

To further elaborate on your question regarding satellite delivered Unistar Radio Formats in markets the size of Columbus we are pleased to offer our formats to stations in exchange for commercial inventory to be used by the Unistar Radio Networks Sales Department. Depending on the format and the station, we require either one (1) minute or two (2) minutes of commercial time for each hour of station operation.

If you have any additional questions, please let me know.

Sincerely,



B. Thomas Hoyt
Director Major Market Sales

TH:cs